



STATE OF NEW JERSEY

In the Matter of Regulatory
Officer, Civil Service Commission,
and Personnel and Labor Analyst
Title Series

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

CSC Docket No. 2024-2338

Changes in the State
Classification Plan

ISSUED: May 22, 2024 (DASV)

The Division of Agency Services (Agency Services) requests the establishment of a new title series, Regulatory Officer, Civil Service Commission (CSC), which includes placing the Regulatory Officer Trainee, CSC, title in the noncompetitive division of the career service in accordance with *N.J.A.C.* 4A:3-1.2. Agency Services also requests that incumbents in the Personnel and Labor Analyst title series be cross walked to a corresponding Regulatory Officer, CSC, title, and the title series be inactivated once the titles are vacated.

By way of background, at the request of the appointing authority, Agency Services reviewed the Personnel and Labor Analyst title series in the Division of Appeals and Regulatory Affairs and found that the title series no longer accurately reflects the job responsibilities of the positions. As a result, Agency Services intends to create the following title series with the employee relations group of Y (Professional Unit, Exempt) or V (Higher Level Supervisors Unit, Exempt); the corresponding salary ranges; and a non-limited (NL) workweek:

- Regulatory Officer Trainee, CSC (Noncompetitive - Y95, NL)
- Regulatory Officer 1, CSC (Competitive - Y23, NL)
- Regulatory Officer 2, CSC (Competitive - Y25, NL)
- Regulatory Officer 3, CSC (Competitive - Y28, NL)
- Regulatory Officer 4, CSC (Competitive - V31, NL)

Agency Services indicates that the new title series will be replacing the Personnel and Labor Analyst title series, as the positions have evolved over time. For example, incumbents in the positions have the responsibility for evaluating testimony and proofs to facilitate the presentation of testimony to the Civil Service Commission (Commission) in contested cases; evaluating Initial Decisions issued by an Administrative Law Judge that must be considered and decided by the Commission, and drafting decisions and orders adopting or modifying the Initial Decisions, etc. Agency Services has prepared corresponding job specifications for the titles in the new series.

Further, Agency Services requests that the Regulatory Officer Trainee, CSC, title be allocated to the noncompetitive division of the career service pursuant to *N.J.A.C. 4A:3-1.2(c)1*, as competitive testing is not practicable at the trainee level due to the nature of the knowledge, skills, and abilities associated with the job. In that regard, Agency Services presents that the title is an entry-level trainee title which is intended to provide on-the-job training. There are also no experience requirements, and therefore, there is no skillset to be tested. Rather, the Regulatory Officer Trainee, CSC, title will require a Juris Doctor degree and have a 12-month training period.¹

Additionally, Agency Services requests that the incumbents currently residing in the titles of Personnel and Labor Analyst Trainee (63340, Y95), Personnel and Labor Analyst 3 (63343, Y27), and Personnel and Labor Analyst 4 (63344, Y29) be cross walked to the titles of Regulatory Officer Trainee, CSC, Regulatory Officer 3, CSC, and Regulatory Officer 4, CSC, respectively. Appointments will be made by slotting the current employees into the new titles at a step closest to their current salary that provides an increase, appointment type to appointment type, with retention of existing status. The following titles² will then be inactivated once they are vacated:

Personnel and Labor Analyst Trainee (63340, Y95, NL)
Personnel and Labor Analyst 3 (63343, Y27, NL)
Personnel and Labor Analyst 4 (63344, Y29, NL)

Agency Services notes that the Personnel and Labor Analyst 1 (63341, Y21, NL) and Personnel and Labor Analyst 2 (63342, Y24, NL) titles are vacant and may be inactivated. Moreover, Agency Services recommends that the new title series, cross walk of incumbents, and title inactivation become effective at the beginning of the first pay period that follows the Commission's approval, which would be June 1, 2024.

¹ It is noted that the existing Personnel and Labor Analyst Trainee title is assigned to the noncompetitive division of the career service.

² In the meantime, Agency Services states that the titles are being designated as archaic.

CONCLUSION

N.J.A.C. 4A:3-3.3(a)2 provides that the Chairperson or designee shall implement and administer the classification plans, including establishing new titles, abolishing unnecessary titles, and consolidating titles where a single title is appropriate for the grouping of positions with similar qualifications, authority, and responsibility. *N.J.A.C.* 4A:3-3.7(a) indicates that trainee, apprentice, recruit, and intern titles may be established in State and local services to provide for entry level employment. Moreover, *N.J.A.C.* 4A:3-1.2(a) provides that the Commission shall allocate and reallocate career service titles between the competitive and noncompetitive divisions. *N.J.A.C.* 4A:3-1.2(c)1 states that a job title may be placed in the noncompetitive division on an ongoing or interim basis when it is determined that competitive testing is not practicable due to the nature of the knowledge, skills, and abilities associated with the job.

Based on the foregoing, ample reasons exist to create a new title series, inactivate the titles specified, cross walk the employees as set forth above, and allocate the newly created Regulatory Officer Trainee, CSC, title to the noncompetitive division of the career service. Given the lack of an experience requirement, in conjunction with the fact that the Regulatory Officer Trainee, CSC, title is an entry-level professional title that requires possession of a Juris Doctor degree, competitive testing is not practicable since the knowledge, skills and abilities associated with the title are evaluated during the mandatory training period. It is emphasized that appointees would need to successfully complete both the required four-month working test period, pursuant to *N.J.A.C.* 4A:4-5.2(b)2, and the 12-month training period to retain their positions. Accordingly, the requests of Agency Services are granted.

ORDER

Therefore, it is ordered that the requests be granted and a new title series of Regulatory Officer, CSC, be established in the career service with the Regulatory Officer Trainee, CSC, title being allocated to the noncompetitive division of the career service. It is further ordered that incumbent employees in the Personnel and Labor Analyst title series be cross walked to the new Regulatory Officer, CSC, title series in accordance with this decision, at which time the Personnel and Labor Analyst title series will be inactivated. These actions shall all be effective June 1, 2024.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 22ND DAY OF MAY, 2024

Dolores Gorczyca

Dolores Gorczyca
Presiding Member
Civil Service Commission

Inquiries
and
Correspondence

Dulce A. Sulit-Villamor
Deputy Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c: Beverly Hamilton
Records Center
Division of Agency Services
Division of Human Resource Information Services